

FIFTY-SEVENTH DAY

(Tuesday, April 18, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Gordon, Mrs.
Allen	Hale
Allison	Hamilton
Alsup	Hankamer
Anderson	Hardeman
Bailey	Hardin
Baker	Harp
of Fort Bend	Harris
Baker of Grayson	Hartzog
Bell	Heflin
Blankenship	Holland
Boethel	Howard
Bond	Howington
Boyd	Hull
Boyer	Hunt
Bradbury	Isaacks
Bradford	Johnson of Ellis
Bray	Johnson of Tarrant
Bridgers	Kennedy
Broadfoot	Kern
Brown of Cherokee	Kerr
Brown	Kersey
of Nacogdoches	Kinard
Bundy	King
Burkett	Langdon
Burney	Lehman
Cauthorn	Leonard
Celaya	Leyendecker
Chambers	Little
Clark	Lock
Cleveland	Loggins
Coleman	London
Colquitt	McAlister
Colson, Mrs.	McDaniel
Corry	McDonald
Crossley	McFarland
Daniel	McMurry
Davis of Jasper	McNamara
Davis of Upshur	Mohrmann
Dean	Monkhouse
Derden	Montgomery
Dickison	Newell
Dickson	Nicholson
Donaghey	Oliver
Dwyer	Pace
Faulkner	Pevehouse
Felty	Piner
Ferguson	Pope
Fielden	Ragsdale
Fuchs	Reader of Bexar
Galbreath	Reader of Erath
Gilmer	Reaves
Goodman	Reed

Rhodes	Tarwater
Riviere	Taylor
Roach	Tennant
Roberts	Thornberry
Robinson	Thornton
Russell	Turner
Schuenemann	Vale
Segrist	Vint
Shell	Voigt
Skiles	Waggoner
Smith of Frio	Weldon
Smith of Hopkins	Wells
Smith	Westbrook
of Matagorda	White
Spencer	Wilson
Stinson	Winfree
Stoll	Worley
Talbert	Wright

Absent—Excused

Cockrell	Keith
Cornett	Mays
Dowell	Morris
Harper	Petsch
Harrell of Bastrop	Wood
Harrell of Lamar	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our Heavenly Father, we thank Thee for the progress that our State has made in these years, and that it is ours to further the best interests of our people and their institutions. We pray for wisdom in all our ways to the end that we administer Thy blessings well, and that justice and equity may prevail in all our proceedings. In Jesus' name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Cockrell for today, on motion of Mr. Burney.

Mr. Harper for today, on motion of Mr. Baker of Fort Bend.

Mr. Petsch for today, on motion of Mr. Hardeman.

Mr. Mays for today, on motion of Mr. Spencer.

Mr. Keith for today, on motion of Mr. Dickison.

Mr. Harrell of Lamar for today, on motion of Mr. Kern.

Mr. Morris for today, on motion of Mr. Hale.

Mr. Cornett for today, on motion of Mr. Kern.

Mr. Wood for today, on motion of Mr. Daniel.

The following Member was granted leave of absence on account of illness:

Mr. Harrell of Bastrop for today, on motion of Mr. Broadfoot.

TO PROVIDE FOR APPOINTMENT OF CERTAIN COMMITTEE

Mr. Bell offered the following resolution:

H. S. R. No. 235, To provide for appointment of certain committee to be known as the Medicinal Permit Survey Committee.

Whereas, The Constitution of Texas provides that counties, justice precincts, and incorporated cities or towns may from time to time vote upon the question of prohibiting or legalizing the sale of alcoholic beverages of the various types and alcoholic content; and

Whereas, The Constitutional Amendment (Article 16, Section 20) adopted in 1935, and the laws enacted thereunder seek to define "wet areas" and legalize the sale of alcoholic beverages therein, and to define "dry areas" and prohibit therein the sale of alcoholic beverages when such local prohibition is adopted by the will of the voters of such areas; and

Whereas, There is reason to believe that the sale of whiskey by the holders of medicinal permits in dry areas have reached such volume as to defeat the purposes of the local voters in areas that have voted to prohibit the sale of liquor; and

Whereas, A recent bulletin published by the Distilled Spirits Institute, a National organization of distillers, reported the sale of whiskey in certain dry counties in Texas in a volume that would appear to be in excess of sales in wet areas of similar population; and

Whereas, There have been some wholesale liquor dealers in this State who have expressed disappointment and concern over conditions in certain counties which they have described as farcial; and

Whereas, Any practices in the sale of alcoholic beverages that defeat the will of the local voters to prohibit will tend to break down the principle of local option in Texas; now, therefore, be it

Resolved, That the House of Representatives of the Forty-sixth Texas Legislature hereby authorize and direct the appointment by the Speaker of a committee to be known as the Medicinal Permit Survey Committee and to consist of three Members from the House of Representatives, to be appointed by the Speaker; be it further

Resolved, That said Committee is hereby directed to make full and complete inquiry into the practices pertaining to the sale of alcoholic beverages for medicinal purposes, to determine whether or not any such practices are abusive of the privileges granted under such permits, or tend to defeat the purposes of local option prohibition, or tend to defeat or confuse enforcement of the Liquor Control Act, and to make a written report of its findings to this House of Representatives as soon as practicable, together with recommendations as to any amendment of law or further legislation that may be deemed necessary to correct any abuse that the Committee may find to be occurring; be it further

Resolved, That the Texas Liquor Control Board be hereby requested to make available to the Medicinal Permit Survey Committee all records and facilities at its disposal so as to assist said Committee in the full ascertainment of all facts pertinent to this inquiry.

Expenses of the Committee herein authorized shall be paid from the Contingent Expense Account and shall be limited to a total sum of Five Hundred (\$500.00) Dollars, which expenses shall be paid only upon expense accounts submitted to and approved by the Speaker of the House of Representatives.

The resolution was read second time.

Mr. Boyer moved that the resolution be referred to the Committee on Liquor Traffic.

Mr. Bell moved to table the motion to refer.

The motion to table was lost.

Question then recurring on the motion to refer the resolution to the Committee on Liquor Traffic, it prevailed.

PROPOSED AMENDMENT TO THE HOUSE RULES

Mr. Holland offered the following resolution:

H. S. R. No. 236, Proposed amendment to Section 1 of Rule 4 of the House Rules.

Whereas, The duties of the Members of the House during the interim between sessions demands that they make trips to Austin for their constituents; and

Whereas, The principal records of the House are filed in the office of the Chief Clerk, and Members need to have these records and the services of the Chief Clerk during these intervals; now, therefore, be it

Resolved by the House of Representatives, That Section 1 of Rule 4 of the Rules of the House of Representatives of the Forty-sixth Legislature, be amended by adding an additional paragraph to Section 1, which shall read as follows:

"The Chief Clerk of the House of Representatives shall be retained during the intervals between adjournment of each Session and the convening of the next Session of the Legislature, for which service he shall receive the same per diem as he receives during the Regular Session, and in addition thereto he shall be furnished postage, telegraph, telephone, express, and other expenses incidental to the office. He shall be entitled to the secretarial services of the Secretary of the Committee on Contingent Expenses, who shall be retained in the interims between sessions."

HOLLAND,
LEONARD,
ALSUP,
THORNTON,
WOOD,
LONDON,
MORRIS.

The resolution was read second time, and was referred, by the Speaker, to the Committee on Rules.

URGING CONGRESS TO PASS CERTAIN LEGISLATION IN REGARD TO EDUCATION

Mr. Lock offered the following resolution:

H. C. R. No. 92, Urging Congress to pass certain legislation in regard to education.

Whereas, Many States are unable, financially, to give satisfactory edu-

cation to all their children, even by straining their resources; and

Whereas, Senators Elbert Thomas of Utah and Pat Harrison of Mississippi have introduced Senate Bill 1305 in the Senate of the United States which provides for annual Federal grants to the several States to be used for educational purposes; and

Whereas, This bill has been reported favorably to the Senate by the Committee on Education and Labor; and

Whereas, Several of the States' Legislatures have already endorsed this measure; and

Whereas, Texas would get over Five Million Dollars the first year for elementary and secondary education, adult education and library support; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Legislature of the State of Texas respectfully urge the passage of this bill and that copies of this resolution be forwarded to the United States Senators Morris Sheppard and Tom Connally and each Member of the Texas delegation in the House of Representatives in Washington.

LOCK,
MORRIS,
BRADBURY,
FERGUSON,
LEHMAN.

The resolution was read second time, and was adopted.

PROVIDING FOR CERTAIN JOINT SESSION

Mr. Johnson of Ellis offered the following resolution:

H. S. R. No. 234, Providing for certain program to be given by the choir of the North Texas State Teachers College.

Whereas, The A Cappella Choir of the North Texas State Teachers College at Denton, Texas, has accepted the invitation of the House of Representatives to give a short program before the House in session, on April 21, 1939; and

Whereas, This program given by these outstanding musicians would be greatly enjoyed by the Members of the Senate, and should be shared with them; now, therefore, be it

Resolved, That the Senate and the Governor be invited to be present in the Hall of the House of Representatives for this program, at a time to

be arranged by the Speaker of the House of Representatives.

The resolution was read second time, and was adopted.

AUTHORIZING CERTAIN CORRECTION IN SENATE BILL NO. 410

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 37, Authorizing certain correction in Senate Bill No. 410.

Whereas, As finally passed by the Senate and the House, Senate Bill No. 410, does not contain an emergency clause; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Enrolling Clerk of the Senate be, and is hereby authorized and instructed to add the following to the caption of the bill: "and creating an emergency," and to add at the end of the bill a new Section to be numbered five, to read as follows:

"Sec. 5. The fact of the crowded condition of the calendar for the nearness of the end of the session creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be, and the same is hereby suspended, and this Act shall take effect and be in force from and after the date specified therein, and it is so enacted."

The resolution was read second time, and was adopted.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following message from the Governor:

April 17th, 1939.

To the Members of the House of Representatives of the Forty-sixth Legislature:

Complying with the request contained in House Concurrent Resolution No. 80, I am returning herewith Senate Concurrent Resolution No. 21 for necessary corrections.

Very truly yours,

W. LEE O'DANIEL,
Governor.

MOTION TO RE-REFER HOUSE JOINT RESOLUTION NO. 26

Mr. Johnson of Ellis moved that House Joint Resolution No. 26, be withdrawn from the Committee on

Constitutional Amendments and referred to the Committee on Education.

Mr. Anderson raised a point of order, on consideration of the motion at this time, on the ground that the routine motion period has expired.

The Speaker sustained the point of order.

HOUSE BILL NO. 72 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 72, A bill to be entitled "An Act amending Chapter 277, Acts of the Regular Session of the Forty-second Legislature, as heretofore amended, designating said Act as the 'Motor Carrier Act of Texas' and adding the Sections thereto contained in this Act, to be known as the 'Private Motor Carrier Act of Texas;' providing that said Motor Carrier Act shall not apply to a private carrier, as herein defined, except as specifically provided by this Act; defining a private carrier and stating the qualifications necessary to qualify as such; defining a fixed and established place of business; defining the term 'person;' defining the term 'Commission;' providing for certain exemptions from the terms of this Act; providing that the use of the highways by private carriers, as herein defined, shall not be regarded as the use of such highways for transporting property for compensation or hire; etc., and declaring an emergency."

The bill having been read second time on yesterday.

Mr. Bond offered the following amendment to the bill:

Amend House Bill No. 72, by striking out all of lines 1 to 11, inclusive, on page 6 of the printed bill, and inserting in lieu thereof, the following:

"(e) The transportation of petroleum products and incidental supplies used or sold in connection with the wholesale or retail sale of such petroleum products from the refinery or place of production or place of storage to the place of storage or place of sale and distribution to the ultimate consumer, in a motor vehicle owned and used exclusively by the marketer or refiner or owned in whole or in part and used exclusively by the bona fide consignee or agent of such single marketer or refiner, as well as the

transportation of material, supplies and equipment for use in the petroleum business by the owner thereof in his own vehicle. Bona fide consignee or agent as used herein, shall, for the purpose of this Act, be construed to mean a person under contract with a single principal to distribute petroleum products in a limited territory and only for such single principal."

(Mr. Thornton in the Chair.)

Mr. Hull offered the following amendment to the amendment:

Amend Bond amendment by adding the following:

"If any word, clause or sentence of the above paragraph (e) of this Act is for any reason held to be unconstitutional, invalid or unenforceable, such holdings shall not affect the validity or enforceability of the remaining portions of this Act."

The amendment by Mr. Hull was adopted.

The amendment by Mr. Bond, as amended, was then adopted.

(Speaker in the Chair.)

Mr. Thornton offered the following amendments to the bill:

Amend House Bill No. 72, by striking out the following words on page 14, lines 17 and 18: "any District Court of Travis County or."

THORNTON,
HANKAMER.

Amend House Bill No. 72, by striking out the following words on page 14, line 9: "in Travis County or."

THORNTON,
HANKAMER.

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and with the body of the bill.

House Bill No. 72 was then passed to engrossment.

HOUSE BILL NO. 72 ON THIRD READING

Mr. Hull moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 72 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Allen	Johnson of Ellis
Allison	Johnson of Tarrant
Alsup	Kennedy
Anderson	Kern
Bailey	Kerr
Baker	Kersey
of Fort Bend	King
Baker of Grayson	Langdon
Bell	Lehman
Blankenship	Leyendecker
Boethel	Little
Bond	Lock
Boyer	McAlister
Bradbury	McDaniel
Bradford	McDonald
Bridgers	McFarland
Brown of Cherokee	McNamara
Bundy	Monkhouse
Burkett	Montgomery
Burney	Newell
Cauthorn	Nicholson
Celaya	Oliver
Chambers	Piner
Clark	Pope
Cleveland	Reader of Bexar
Coleman	Reader of Erath
Colquitt	Reaves
Colson, Mrs.	Reed
Corry	Rhodes
Crossley	Riviere
Daniel	Roach
Davis of Upshur	Roberts
Derden	Russell
Donaghey	Schuenemann
Dwyer	Segrist
Faulkner	Shell
Felty	Skiles
Ferguson	Smith of Frio
Fielden	Smith
Fuchs	of Matagorda
Galbreath	Spencer
Gilmer	Stinson
Goodman	Stoll
Gordon, Mrs.	Tarwater
Hale	Taylor
Hamilton	Tennant
Hankamer	Thornberry
Hardeman	Thornton
Harp	Turner
Harris	Vale
Hartzog	Voigt
Heflin	Waggoner
Holland	Weldon
Howard	Wells
Howington	White
Hull	Wilson
Hunt	Winfree
Isaacks	Worley

Nays—1

Boyd

Present—Not Voting

Bray

Vint

Brown

of Nacogdoches

Absent

Broadfoot

McMurry

Davis of Jasper

Mohrmann

Dean

Pace

Dickison

Pevehouse

Dickson

Ragsdale

Hardin

Robinson

Kinard

Smith of Hopkins

Leonard

Talbert

Loggins

Westbrook

London

Wright

Absent—Excused

Cockrell

Keith

Cornett

Mays

Dowell

Morris

Harper

Petsch

Harrell of Bastrop

Wood

Harrell of Lamar

The Speaker then laid House Bill No. 72 before the House on third reading and final passage.

The bill was read third time.

Mr. Leonard offered the following amendment to the bill:

Amend House Bill No. 72, by adding a new Section to read as follows:

"Nothing in this Act shall be construed as to prevent the operation of motor vehicles carrying property owned by the owner or leasee of the motor vehicle without a permit from the Railroad Commission."

Question—Shall the amendment by Mr. Leonard be adopted?

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 683

Mr. Kinard submitted the following Conference Committee Report on House Bill No. 683:

April 17, 1939.

Committee Room,
Austin, Texas.

Hon. Coke Stevenson, President of the Senate.

Hon. Emmett Morse, Speaker of the House.

Sirs: We, your Conference Committee, appointed to adjust the differ-

ences between the House and Senate on House Bill No. 683, beg leave to report that we have considered the same, and recommend that it do pass in the form and text as attached hereto.

Respectfully submitted,

SHIVERS,
STONE of Galveston,
LANNING,
ROBERTS,
BURNS,

On the part of the Senate,

KINARD,
HARTZOG,
CLARK,
DICKISON,
SHELL,

On the part of the House.

H. B. No. 683

An Act defining a "non-resident commercial fisherman"; providing for a non-resident commercial fishing license and the fee for same; specifying boundary lines within which commercial fishermen may fish; providing a person must have a non-resident fishing license to bring aquatic products into this State on a boat and offer same for sale; providing a penalty for violation of the Act; providing for the seizure of boats and tackle for evidence; providing for maintenance of a boat to enforce the provisions of this Act; providing for disposition of funds collected under this Act, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. A "non-resident commercial fisherman" for the purpose of this Act is hereby defined as follows:

"Any person who is a citizen of any other State, or any person who has not continually been a bona fide resident of this State for a period of time more than twelve (12) months, and who takes, catches, or assists in taking or catching, fish or shrimp or oysters or any other edible aquatic life from the tidal salt waters of this State for pay or for the purpose of sale, barter, or exchange."

Section 2. Before any "non-resident commercial fisherman" shall take or assist in taking any fish or shrimp or oysters or any other edible aquatic life from the tidal salt waters of this State, a license, to be known as "Non-

resident Commercial Fisherman's License", shall first be procured from the Game, Fish and Oyster Commission of Texas, or one of its authorized agents, privileging them so to do.

The fee for a Non-resident Commercial Fisherman's License shall be Two Hundred (\$200.00) Dollars.

Sec. 3. The licensed commercial fisherman, resident or non-resident, may fish commercially in the coastal waters bounded on the east by a line drawn from the center of Sabine Pass, cutting across the East Sabine Jetty at a point two thousand (2,000) feet north of the present fishing pier known as the Jaycee Pier, and extending three (3) marine leagues into the Gulf of Mexico, following along the coast line of Texas to the present acknowledged boundary between the State of Texas and the Republic of Mexico.

Sec. 4. It shall be unlawful for any non-resident commercial fisherman to bring into this State any aquatic products on any boat and in this State sell, or offer the same for sale, without first having procured a "Non-resident Commercial Fisherman's License."

Sec. 5. Any person failing to comply with, or who violates any provision of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars; and provided that the Game, Fish and Oyster Commission of Texas, or its authorized agent, shall have the power and right to seize and hold boats, nets, seines, trawls, or other tackle in his possession as evidence until after trial of the defendant and no suit shall be maintained against him therefor.

Sec. 6. The State Game, Fish and Oyster Commission shall keep and maintain a suitable boat for the purpose of enforcing the provisions of this Act and other fishing laws in the vicinity of Sabine Pass.

Sec. 7. All moneys collected under provisions of this Act or because of fines paid for violation of the provisions of this Act, shall be remitted to the Game, Fish and Oyster Commission of Texas at its office in Austin, Texas, not later than the 10th day of the month following their collection, and shall be deposited by said

Game, Fish and Oyster Commission in the State Treasury to the credit of the Fish and Oyster Fund.

Sec. 8. The fact that the commercial fishermen from other States are fishing in the coastal waters over which the sovereign State of Texas has jurisdiction, without licenses from this State, resulting in unfair competition and working hardships on resident commercial fishermen, creates an emergency and an imperative public necessity that the Constitutional Rule requiring all bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall be in full force and effect on and after June 30, 1939, and it is so enacted.

On motion of Mr. Kinard, the Report was adopted by the following vote:

Yeas—120

Allen	Donaghey
Allison	Dwyer
Alsup	Faulkner
Anderson	Felty
Bailey	Ferguson
Baker	Fuchs
of Fort Bend	Galbreath
Baker of Grayson	Gordon, Mrs.
Bell	Hale
Blankenship	Hamilton
Boethel	Hankamer
Bond	Hardin
Boyd	Harp
Boyer	Harris
Bradbury	Hartzog
Bradford	Heflin
Bray	Holland
Bridgers	Howard
Broadfoot	Howington
Brown of Cherokee	Hunt
Brown	Isaacks
of Nacogdoches	Johnson of Ellis
Bundy	Johnson of Tarrant
Burkett	Kennedy
Burney	Kern
Cauthorn	Kerr
Celaya	Kersey
Chambers	Kinard
Clark	King
Cleveland	Langdon
Colquitt	Lehman
Colson, Mrs.	Leonard
Corry	Leyendecker
Crossley	Little
Daniel	Loggins
Davis of Jasper	London
Davis of Upshur	McAlister
Derden	McDaniel
Dickison	McDonald

McFarland	Shell
McMurry	Skiles
McNamara	Smith of Frio
Mohrmann	Spencer
Monkhouse	Stinson
Montgomery	Stoll
Newell	Tarwater
Nicholson	Taylor
Pace	Thornberry
Piner	Thornton
Pope	Turner
Reader of Bexar	Vale
Reader of Erath	Vint
Reaves	Voigt
Rhodes	Waggoner
Riviere	Weldon
Roach	Wells
Roberts	White
Robinson	Wilson
Russell	Winfree
Schuenemann	Worley
Segrist	Wright

Absent

Coleman	Pevehouse
Dean	Ragsdale
Dickson	Reed
Fielden	Smith of Hopkins
Gilmer	Smith
Goodman	of Matagorda
Hardeman	Talbert
Hull	Tennant
Lock	Westbrook
Oliver	

Absent—Excused

Cockrell	Keith
Cornett	Mays
Dowell	Morris
Harper	Petsch
Harrell of Bastrop	Wood
Harrell of Lamar	

HOUSE BILL NO. 256 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 256, A bill to be entitled "An Act making appropriations for the support, maintenance and improvement of the Eleemosynary and Reformatory Institutions of the State of Texas for the two year period beginning September 1, 1939, and ending August 31, 1941, and prescribing certain regulations and restrictions in respect to the expenditure of said appropriations, and declaring an emergency."

The bill was read second time.

Mr. Thornton offered committee amendment No. 1 to the bill:

(On motion of Mr. Thornton, the committee amendment was ordered not printed in the Journal, same being the printed bill.)

Mr. Thornton offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 256, by making the following corrective changes:

On page 2, line 35 after the word "three" add a comma and the following: "none to exceed \$51 per month".

On page 3, line 31 strike the letter "s" from the word "buildings"; after the word "building" add a comma and the following: "if granted".

On page 3, line 38 strike the letter "s" from the word "buildings".

On page 4, line 13 strike the letter "s" from the word "cottages".

On page 4, line 14 strike the letter "s" from the word "physicians".

On page 4, line 17 strike out the word "in" and insert in lieu thereof the word "into".

On page 8, line 7 strike out the word "and" and insert in lieu thereof a hyphen between the word "technician" and the word "physio-therapist".

On page 8, lines 30 and 31 strike out the following language: "two, one at \$1,320 per year" and insert in lieu thereof the following: "one at \$1,320, no others to exceed \$85 per month".

On page 9, line 29 after the word "building" add a comma and the following: "if granted".

On page 9, line 34 strike out the word "suport" and insert in lieu thereof the word "support".

On page 11, line 27, in the second column strike out the figures "1,280.00" and insert in lieu thereof the figures "1,380.00".

On page 11, line 32 strike out the word "farm" and insert in lieu thereof the word "farmer".

On page 12, line 15 strike out the word "seamstreass" and insert in lieu thereof the word "seamstress".

On page 13, line 31 after the word "building" add a comma and the following: "if granted".

On page 14, line 8 strike out the figures "11,000.000" in the second

column and insert in lieu thereof the figures "11,000.00".

On page 14 between lines 22 and 23 insert the following: "(A Branch of the Austin State School)".

On page 14, strike out all of line 30 and insert in lieu thereof the following: "Assistant superintendent and vocational supervisor,".

On page 16, line 37 after the word "Chaplain" add a comma and the following: "part-time".

On page 17, line 7 strike out the figures "\$40" and insert in lieu thereof the figures "\$34".

On page 17, line 29 strike out the word "and" and insert in lieu thereof a hyphen between the word "Roentgenologist" and the word "technician".

On page 18, line 29 after the word "building" add a comma and the following: "if granted".

On page 18, line 35 strike out the word "Automobile" and insert in lieu thereof the following: "Automobiles, two."

On page 19, line 14 strike out the letters "ings" and insert in lieu thereof the letters "ing".

On page 19, line 34, strike out the word "repair" and insert in lieu thereof the word "repairs".

On page 21, line 25 strike out the words "operator-foremen" and insert in lieu thereof the word "operators".

On page 23, line 10 strike out the words "none to exceed" and insert in lieu thereof the word "basis".

On page 23, line 14 strike out the figures "1,548.00" in the second column and insert in lieu thereof the figures "1,584.00".

On page 25, line 33 strike out the word "months" and insert in lieu thereof the word "month".

On page 25, line 38 strike out the word "none" and insert in lieu thereof the words "no others".

On page 27, line 30 strike out the word "graduates" and insert in lieu thereof the word "graduate".

On page 31, lines 18 and 19 strike out the words "none to exceed \$85 per month".

On page 32, line 37 strike out the figures "1,355.00" in the second column and insert in lieu thereof the figures "1,335.00".

On page 33, line 39 strike out the

word "tuber" and insert in lieu thereof the word "tube".

On page 34, line 11 strike out the word "Cirsicana" and insert in lieu thereof the word "Corsicana".

On page 34, line 15 strike out the word "employes" and insert in lieu thereof the word "employees".

On page 35 strike out all of lines 5 and 6 except the figures "3,850.00" and insert in lieu thereof the following: "Teachers, grammar school, five, basis, \$77, none to exceed \$82.50 per month".

On page 35, line 8 strike out the following: "\$....." and insert in lieu thereof the figures "\$85."

On page 35, line 28 after the word "four," insert the following: "basis \$40,".

On page 36, line 28 after the word "three," insert the following: "basis \$36,".

On page 36, line 31 strike out the word "for" and insert in lieu thereof the word "if".

On page 36, line 39 after the word "cottage" add a comma and the following: "if granted".

On page 37, line 14 strike out the word "boys" and insert in lieu thereof the word "girls".

On page 38, line 26 strike out the following "\$....." and insert in lieu thereof the figures "\$34".

On page 39, line 32 strike out the figures "\$61" and insert in lieu thereof the figures "\$65".

On page 40, line 8 strike out the figures "695.00" in the second column and insert in lieu thereof the figures "696.00".

On page 40, lines 28 and 35 strike out the word "buildings" in both lines and insert in lieu thereof the word "building".

On page 42, line 20 after the word "two" add a comma and the following: "none to exceed \$45 per month."

On page 42, lines 27 and 28, strike out the figures and words "\$40 per month," and insert in lieu thereof, the following: "\$34 except two at not exceeding \$40 per month."

On page 43, line 10, after the word "month," add a comma and the following: "basis \$37."

On page 43, line 16, after the word "two," add the following: "none to exceed \$54 per month."

On page 43, lines 35 and 36, strike out the word "technicians," and insert in lieu thereof, the word "technician."

On page 45, line 19, strike out the words "floors to replace old ones," and insert in lieu thereof the words "floor to replace old one."

On page 49, strike out all of lines 27 and 28, and insert between lines 30 and 31, the words "Improvements, Repairs and Buildings."

On page 52, line 6, after the words "twenty-four," add a comma and the following: "basis \$65."

On page 52, line 9, after the words "sixty-four," add a comma, and the following: "basis \$20."

On page 52, line 14, after the word "month," add a comma, and the following: "except one at \$35."

On page 52, line 24, strike out the word "none" and insert in lieu thereof, the following: "basis \$35, none."

On page 52, line 27, strike out the word "seven," and insert in lieu thereof, the following: "basis \$35.35, seven."

On page 52, line 33, strike out the figures "\$480.00" each year, and insert in lieu thereof, the figures "\$720.00" each year; and on line 34 strike out the figures "\$720.00" each year and insert in lieu thereof, the figures "\$480.00" each year.

On page 53, line 12, after the words "fifty-two," insert the words "basis \$31."

On page 53, line 24, after the word "Improvements" add a comma.

On page 54, line 25 preceding the word "Dentist," insert the following item number: "4."

On page 57, line 18, strike out the word "physician," and insert in lieu thereof the word "physical."

On page 59, line 32, after the word "Dairyman," add a comma and the word "assistant."

On page 62, line 4, strike out the word "new" and insert in lieu thereof, the words "addition to."

On page 62, line 40, strike out the word "Ninth," and insert in lieu thereof the word "Nine."

On page 63, line 17, strike out the word "storkeeper" and insert in lieu thereof the word "storekeeper."

On page 63, line 24, strike out the figures "1,770.00" in the second column and insert in lieu thereof the figures "1,170.00."

On page 67, line 4, strike out the word "per."

The amendment was adopted.

Mr. Thornton offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 256, by making the following corrective changes:

On page 17, line 34, strike out the figures "975.00" each year and insert in lieu thereof the figures "1,050.00" each year.

On page 18, line 22 strike out the figures "3,050.00" in the second column and insert in lieu thereof the figures "3,660.00."

On page 18, line 24 strike out the figures "\$89,443.00" in the first column and insert in lieu thereof the figures "\$89,518.00;" and strike out the figures "\$93,013.00" in the second column and insert in lieu thereof the figures "\$93,698.00."

On page 19, line 37 strike out the figures "\$415,643.00" in the first column and insert in lieu thereof the figures "\$415,718.00;" and strike out the figures "\$305,013.00" in the second column and insert in lieu thereof the figures "\$305,698.00"

On page 33, strike out all of lines 28 and 29.

On page 33, line 34 strike out the figures "\$123,000.00" in the first column and insert in lieu thereof the figures "\$117,000.00;" and strike out the figures "\$129,000.00" in the second column and insert in lieu thereof the figures "\$117,000.00."

On page 34, line 10 strike out the figures "\$212,727.00" in the first column and insert in lieu thereof the figures "\$206, 727.00;" and strike out the figures "\$213,727.00" in the second column and insert in lieu thereof the figures "\$201,727.00."

On page 61, line 9 strike out the figures "640.00" each year and insert in lieu thereof the figures "642.00" each year.

On page 61, line 36 strike out the figures "\$217,051.00" in the first column and insert in lieu thereof the figures "\$217,053.00;" and strike out the figures "\$217,051.00" in the second column and insert in lieu thereof the figures "\$217,053.00."

On page 62, line 37 strike out the figures "\$640,451.00" in the first column and insert in lieu thereof the fig-

ures "\$640,453.00;" and strike out the figures "\$576,551.00" in the second column and insert in lieu thereof the figures "\$576,553.00."

On page 79, line 13 strike out the figures "415,643.00" in the first column and insert in lieu thereof the figures "415,718.00;" and strike out the figures "305,013.00" in the second column and insert in lieu thereof the figures "305,698.00."

On page 79, line 27 strike out the figures "212,727.00" in the first column and insert in lieu thereof the figures "206,727.00;" and strike out the figures "213,727.00" in the second column and insert in lieu thereof the figures "201,727.00."

On page 79, line 39, strike out the figures "640,451.00" in the first column and insert in lieu thereof the figures "640,453.00;" and strike out the figures "576,551.00" in the second column and insert in lieu thereof the figures "576,553.00."

On page 80, line 6 strike out the figures "7,498,454.00" in the first column and insert in lieu thereof the figures "\$7,492,531.00;" and strike out the figures "\$6,833,168.00" in the second column and insert in lieu thereof the figures "\$6,821,855.00."

On page 80, line 9, strike out the figures "\$14,331,622.00" and insert in lieu thereof the figures "\$14,314,386.00."

The amendment was adopted.

Mr. Thornton offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 256, by adding the following sentence on page 72, line 14:

"Except as herein otherwise provided, no money shall be expended for traveling expenses except that specifically appropriated for said purpose."

The amendment was adopted.

Mr. Bradbury offered the following amendment to the committee amendment:

Amend House Bill No. 256, page 2, by striking out line 8, and substitute in lieu thereof, the following:

"Attendants 111, none less than \$45.00."

BRADBURY,
BROWN of Cherokee.

(Pending consideration of the amendment by Mr. Bradbury, Mr.

Derden occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Thornton moved to table the amendment by Mr. Bradbury.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—69

Allen	Little
Allison	London
Alsup	McAlister
Baker	McDaniel
of Fort Bend	McDonald
Bell	McMurry
Boethel	McNamara
Boyer	Mohrmann
Bradford	Monkhouse
Bray	Nicholson
Broadfoot	Oliver
Burkett	Pope
Cauthorn	Ragsdale
Celaya	Reed
Chambers	Riviere
Clark	Roberts
Coleman	Robinson
Colson, Mrs.	Russell
Crossley	Schuenemann
Daniel	Segrist
Davis of Upshur	Shell
Dickson	Smith
Felty	of Matagorda
Gilmer	Spencer
Hamilton	Stoll
Hankamer	Talbert
Heflin	Taylor
Howington	Tennant
Hull	Thornton
Hunt	Vale
Johnson of Ellis	Vint
Johnson of Tarrant	Voigt
Kennedy	Waggoner
Kersey	Wilson
Kinard	Wright
Langdon	

Nays—51

Bailey	Dean
Baker of Grayson	Dickison
Bond	Dwyer
Boyd	Faulkner
Bradbury	Ferguson
Brown of Cherokee	Fielden
Brown	Fuchs
of Nacogdoches	Galbreath
Bundy	Hale
Burney	Hardeman
Cleveland	Harp
Colquitt	Isaacks
Davis of Jasper	Kern

Kerr	Rhodes
King	Roach
Lehman	Skiles
Leyendecker	Smith of Hopkins
Loggins	Stinson
McFarland	Tarwater
Montgomery	Thornberry
Newell	Turner
Pace	Weldon
Pevehouse	Wells
Reader of Bexar	White
Reader of Erath	Winfree
Reaves	Worley

Absent

Anderson	Harris
Blankenship	Hartzog
Bridgers	Holland
Corry	Howard
Derden	Leonard
Donaghey	Lock
Goodman	Piner
Gordon, Mrs.	Smith of Frio
Hardin	Westbrook

Absent—Excused

Cockrell	Keith
Cornett	Mays
Dowell	Morris
Harper	Petsch
Harrell of Bastrop	Wood
Harrell of Lamar	

REASON FOR VOTE

I joined with Bradbury in his amendment because the Abilene hospital was first up for consideration. I had a similar amendment prepared to offer for the Rusk hospital increasing the attendants from 185 to 210 and providing that no attendant should be paid less than \$45.00 per month. I also had other amendments prepared to offer to better provide for the Rusk State hospital, but the previous question was ordered, which prohibited consideration of any other amendments. I then voted against the passage of this bill because the bill does not adequately provide for the unfortunate inmates of these institutions.

BROWN of Cherokee.

Mr. Coleman offered the following amendment to the committee amendment:

Amend House Bill No. 256, committee amendment No. 1, by changing the words and figures, "One Thousand, Eighty (\$1,080) to Twelve Hundred (\$1,200.00)" wherever they appear opposite the words "pharmacist".

On motion of Mr. Thornton, the amendment was tabled.

Mr. Russell moved the previous question on the committee amendment, as amended, and the engrossment of House Bill No. 256, and the main question was ordered.

Question recurring on the committee amendment, as amended, it was adopted.

House Bill No. 256 was then passed to engrossment.

HOUSE BILL NO. 256 ON THIRD READING

Mr. Thornton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 256 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Allen	Ferguson
Allison	Fuchs
Alsup	Goodman
Bailey	Gordon, Mrs.
Baker	Hamilton
of Fort Bend	Hankamer
Baker of Grayson	Hardeman
Blankenship	Hardin
Boethel	Harp
Bond	Harris
Boyd	Hartzog
Boyer	Heflin
Bradbury	Howington
Bradford	Hunt
Bray	Isaacks
Bridgers	Johnson of Ellis
Broadfoot	Johnson of Tarrant
Bundy	Kennedy
Burkett	Kersey
Burney	Kinard
Cauthorn	King
Celaya	Langdon
Chambers	Lehman
Clark	Little
Cleveland	Loggins
Coleman	London
Colquitt	McAlister
Colson, Mrs.	McDaniel
Crossley	McDonald
Daniel	McFarland
Davis of Jasper	McMurry
Davis of Upshur	McNamara
Derden	Mohrmann
Dickison	Monkhouse
Dickson	Montgomery
Faulkner	Newell
Felty	Nicholson

Oliver	Smith
Pace	of Matagorda
Pevehouse	Spencer
Piner	Stinson
Pope	Stoll
Reader of Bexar	Talbert
Reader of Erath	Tarwater
Reaves	Taylor
Reed	Tennant
Rhodes	Thornberry
Riviere	Thornton
Roach	Turner
Roberts	Vale
Robinson	Voigt
Russell	Waggoner
Schuenemann	Wells
Segrist	White
Shell	Wilson
Skiles	Winfree
Smith of Frio	Worley
Smith of Hopkins	Wright

Nays—12

Bell	Hale
Brown of Cherokee	Kern
Brown	Kerr
of Nacogdoches	Lock
Dean	Vint
Fielden	Weldon
Galbreath	

Absent

Anderson	Howard
Corry	Hull
Donaghey	Leonard
Dwyer	Leyendecker
Gilmer	Ragsdale
Holland	Westbrook

Absent—Excused

Cockrell	Keith
Cornett	Mays
Dowell	Morris
Harper	Petsch
Harrell of Bastrop	Wood
Harrell of Lamar	

The Speaker then laid House Bill No. 256 before the House on third reading and final passage.

The bill was read third time.

Mr. Anderson offered the following amendment to the bill:

Amend House Bill No. 256, page 45, line 19, by inserting the figures "\$7,500.00" for the year 1940, and deleting the appropriation for 1941.

ANDERSON,
DICKISON,
DWYER,
READER of Bexar,
FELTY.

The amendment was adopted by the following vote:

Yeas—110

Allen	Kinard
Allison	Langdon
Alsup	Lehman
Anderson	Leonard
Bailey	Little
Baker	Lock
of Fort Bend	Loggins
Baker of Grayson	London
Bell	McAlister
Blankenship	McFarland
Boethel	McMurry
Boyd	McNamara
Boyer	Mohrmann
Bradbury	Monkhouse
Bradford	Montgomery
Bray	Newell
Bridgers	Nicholson
Broadfoot	Oliver
Brown of Cherokee	Pace
Brown	Pevehouse
of Nacogdoches	Piner
Bundy	Reader of Bexar
Burkett	Reader of Erath
Cauthorn	Reaves
Celaya	Reed
Chambers	Rhodes
Clark	Riviere
Cleveland	Roach
Coleman	Roberts
Colquitt	Robinson
Colson, Mrs.	Russell
Crossley	Schuenemann
Daniel	Segrist
Davis of Upshur	Shell
Derden	Skiles
Dickison	Smith of Frio
Felty	Smith
Ferguson	of Matagorda
Fielden	Spencer
Fuchs	Stinson
Galbreath	Stoll
Goodman	Talbert
Gordon	Tarwater
Hale	Taylor
Hamilton	Thornton
Hankamer	Vale
Hardin	Vint
Harp	Voigt
Harris	Waggoner
Howington	Weldon
Hunt	Wells
Isaacks	White
Johnson of Ellis	Wilson
Johnson of Tarrant	Winfree
Kennedy	Worley
Kern	Wright
Kerr	

Nays—4

Dickson	Kersey
Faulkner	Tennant

Absent

Bond	Howard
Burney	Hull
Corry	King
Davis of Jasper	Leyendecker
Dean	McDaniel
Donaghey	McDonald
Dwyer	Pope
Gilmer	Ragsdale
Hardeman	Smith of Hopkins
Hartzog	Thornberry
Heflin	Turner
Holland	Westbrook

Absent—Excused

Cockrell	Keith
Cornett	Mays
Dowell	Morris
Harper	Petsch
Harrell of Bastrop	Wood
Harrell of Lamar	

Mr. Kennedy moved the previous question, on the final passage of House Bill No. 256, and the main question was ordered.

On motion of Mr. Thornton, and by unanimous consent of the House, the totals in the bill were amended to conform to all changes made in the bill.

House Bill No. 256 was then passed by the following vote:

Yeas—120

Allen	Colquitt
Allison	Colson, Mrs.
Alsup	Crossley
Anderson	Daniel
Bailey	Davis of Jasper
Baker	Davis of Upshur
of Fort Bend	Derden
Baker of Grayson	Dickison
Bell	Dickson
Blankenship	Faulkner
Boethel	Felty
Boyd	Ferguson
Boyer	Fielden
Bradbury	Fuchs
Bradford	Gilmer
Bray	Goodman
Bridgers	Gordon
Broadfoot	Hamilton
Bundy	Hankamer
Burkett	Hardeman
Burney	Hardin
Cauthorn	Harp
Celaya	Harris
Chambers	Hartzog
Clark	Holland
Cleveland	Howard
Coleman	Howington

Hull	Reed
Hunt	Rhodes
Isaacks	Riviere
Johnson of Ellis	Roach
Johnson of Tarrant	Roberts
Kennedy	Robinson
Kern	Russell
Kerr	Schuenemann
Kersey	Segrist
Kinard	Shell
King	Skiles
Langdon	Smith of Frio
Lehman	Smith
Little	of Matagorda
Lock	Spencer
Loggins	Stinson
London	Stoll
McAlister	Talbert
McDaniel	Tarwater
McDonald	Taylor
McFarland	Tennant
McMurry	Thornberry
McNamara	Thornton
Mohrmann	Vale
Monkhouse	Vint
Montgomery	Waggoner
Newell	Weldon
Nicholson	Wells
Oliver	Westbrook
Pace	White
Pevehouse	Wilson
Piner	Winfree
Reader of Bexar	Worley
Reaves	Wright

Nays—7

Brown of Cherokee	Galbreath
Brown	Hale
of Nacogdoches	Reader of Erath
Dean	Smith of Hopkins

Absent

Bond	Leyendecker
Corry	Pope
Donaghey	Ragsdale
Dwyer	Turner
Heflin	Voigt
Leonard	

Absent—Excused

Cockrell	Keith
Cornett	Mays
Dowell	Morris
Harper	Petsch
Harrell of Bastrop	Wood
Harrell of Lamar	

Mr. Thornton moved to reconsider the vote by which House Bill No. 256 was passed, and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 431 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 431, A bill to be entitled "An Act relating to the salaries of all State Officers except those Constitutional State Officers whose salaries are specifically fixed by the Constitution; specifically providing that the Legislature shall fix the amount of compensation to be paid clerks of the Courts of Civil Appeals, the Supreme Court and the Court of Criminal Appeals out of fees of office, and specifically repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 431 ON THIRD
READING

Mr. Thornton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 431 be placed on its third reading and final passag.

The motion prevailed by the following vote:

Yeas—127

Allen	Chambers
Allison	Clark
Alsup	Cleveland
Anderson	Coleman
Bailey	Colquitt
Baker	Colson, Mrs.
of Fort Bend	Crossley
Baker of Grayson	Daniel
Bell	Davis of Jasper
Blankenship	Davis of Upshur
Boethel	Dean
Boyd	Derden
Boyer	Dickison
Bradbury	Dickson
Bradford	Donaghey
Bray	Faulkner
Bridgers	Felty
Broadfoot	Ferguson
Brown of Cherokee	Fielden
Brown	Fuchs
of Nacogdoches	Gilmer
Bundy	Goodman
Burkett	Gordon
Burney	Hale
Cauthorn	Hamilton
Celaya	Hankamer

Hardeman	Piner
Hardin	Pope
Harp	Reader of Erath
Harris	Reaves
Hartzog	Reed
Heflin	Rhodes
Holland	Riviere
Howard	Roach
Howington	Roberts
Hull	Robinson
Hunt	Russell
Isaacks	Schuenemann
Johnson of Ellis	Segrist
Johnson of Tarrant	Shell
Kennedy	Skiles
Kern	Smith of Hopkins
Kerr	Smith
Kersey	of Matagorda
Kinard	Spencer
King	Stinson
Langdon	Stoll
Lehman	Talbert
Little	Tarwater
Lock	Taylor
London	Tennant
McAlister	Thornberry
McDaniel	Thornton
McDonald	Vale
McFarland	Vint
McMurry	Voigt
McNamara	Waggoner
Mohrmann	Weldon
Monkhouse	Wells
Montgomery	Westbrook
Newell	White
Nicholson	Wilson
Oliver	Winfree
Pace	Worley
Pevehouse	Wright

Nays—1

Galbreath

Absent

Bond	Loggins
Corry	Ragsdale
Dwyer	Reader of Bexar
Leonard	Smith of Frio
Leyendecker	Turner

Absent—Excused

Cockrell	Keith
Cornett	Mays
Dowell	Morris
Harper	Petsch
Harrell of Bastrop	Wood
Harrell of Lamar	

The Speaker then laid Senate Bill No. 431 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—129

Allen	Howington
Allison	Hunt
Alsup	Isaacks
Anderson	Johnson of Ellis
Bailey	Johnson of Tarrant
Baker	Kennedy
of Fort Bend	Kern
Baker of Grayson	Kerr
Bell	Kersey
Blankenship	Kinard
Boethel	King
Boyd	Langdon
Boyer	Lehman
Bradbury	Little
Bradford	Lock
Bray	London
Bridgers	McAlister
Broadfoot	McDaniel
Brown of Cherokee	McDonald
Brown	McFarland
of Nacogdoches	McMurry
Bundy	McNamara
Burkett	Mohrmann
Burney	Monkhouse
Cauthorn	Montgomery
Celaya	Newell
Chambers	Nicholson
Clark	Oliver
Cleveland	Pace
Coleman	Pevehouse
Colquitt	Piner
Colson, Mrs.	Pope
Corry	Reader of Bexar
Crossley	Reader of Erath
Daniel	Reaves
Davis of Jasper	Reed
Davis of Upshur	Rhodes
Dean	Riviere
Derden	Roach
Dickison	Roberts
Dickson	Robinson
Donaghey	Russell
Faulkner	Schuenemann
Felty	Segrist
Ferguson	Shell
Fielden	Skiles
Fuchs	Smith of Frio
Gilmer	Smith of Hopkins
Goodman	Smith
Gordon	of Matagorda
Hale	Spencer
Hamilton	Stinson
Hankamer	Stoll
Hardeman	Talbert
Hardin	Tarwater
Harp	Taylor
Harris	Tennant
Heflin	Thornberry
Holland	Thornton
Howard	Turner

Vale	Westbrook
Vint	White
Voigt	Wilson
Waggoner	Winfree
Weldon	Worley
Wells	Wright

Nays—1

Galbreath

Absent

Bond	Leonard
Dwyer	Leyendecker
Hartzog	Loggins
Hull	Ragsdale

Absent—Excused

Cockrell	Keith
Cornett	Mays
Dowell	Morris
Harper	Petsch
Harrell of Bastrop	Wood
Harrell of Lamar	

Mr. Thornton moved to reconsider the vote by which Senate Bill No. 431 was passed, and to table the motion to reconsider.

The motion to table prevailed.

RELATIVE TO HOUSE SIMPLE RESOLUTION NO. 230

The Speaker announced the appointment of Mr. Cornett to succeed Mr. Bradbury, resigned, from the Committee on House Simple Resolution No. 230.

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

H. B. No. 813, "An Act making it unlawful to hunt, shoot or kill any deer for a period of five (5) years in Somervell County, Texas; fixing a penalty; repealing all laws or parts of laws in conflict herewith in so far as they apply to Somervell County, and declaring an emergency."

MESSAGE FROM THE SENATE

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 224, A bill to be entitled "An Act granting and donating to each respective county of this State

for a period of five (5) years beginning with the taxable year 1939 all the State ad valorem taxes, not heretofore donated or appropriated to any county, district, city or other political subdivision, collected for general revenue purposes upon the property and from persons in each respective county, including ad valorem taxes on rolling stock belonging to railroad companies, for the use of each respective county for the purposes of constructing improvements to prevent soil erosion, flood control, irrigation and drainage projects, reforestation and road building and further providing that said taxes shall be levied, assessed and collected, etc., and declaring an emergency."

S. B. No. 297, A bill to be entitled "An Act regulating the execution by teachers and school employees, of assignments of salaries or wages, or any interest therein, as security for indebtedness, defining teachers and school employees, within the terms of this Act, and providing that all assignments of salary or wages or any part thereof or interest therein not executed in accordance with the provisions of this Act shall be invalid and unenforceable."

S. B. No. 381, A bill to be entitled "An Act to amend Article 880, House Bill No. 111, Acts of the Second Called Session, Forty-fifth Legislature, relating to the use of dogs in the hunting or pursuing or taking of any deer in certain counties; and providing for a penalty."

S. B. No. 416, A bill to be entitled "An Act granting Dorothy Worsham of Houston, Harris County, Texas, Floyd Gwin of Galena Park, Harris County, Texas, Paul Bieherstein of Galena Park, Harris County, Texas, Clovis Putman of Galena Park, Harris County, Texas, A. C. Graham, Jr., of Galena Park, Harris County, Texas, and Martha Ruth Linan of Galena Park, Harris County, Texas, permission to sue the State of Texas for damages alleged to have resulted from the negligence of an officer of the Highway Patrol in the performance of his duties; providing that venue of such suits shall be in Travis County, Texas; providing for the recovery of judgment against the State in the event of proof of negligence in a court of competent jurisdiction, and declaring an emergency."

S. B. No. 428, A bill to be entitled "An Act to amend Article 5790 of the Revised Civil Statutes of Texas, 1925, relating to the powers of the Adjutant General of the State of Texas, and declaring an emergency."

S. B. No. 434, A bill to be entitled "An Act authorizing the Board of Control and Governor to execute deed and effect sale and transfer of one-half (½) acre of land in Upshur County, Texas; describing said land by metes and bounds; providing for deed and mode and manner of executing same; providing for consideration of said deed, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 428, to the Committee on Military Affairs.

Senate Bill No. 381, to the Committee on Game and Fisheries.

Senate Bill No. 416, to the Committee on State Affairs.

Senate Bill No. 434, to the Committee on Public Lands and Buildings.

Senate Bill No. 224, to the Committee on State Affairs.

Senate Bill No. 297, to the Committee on Education.

BILL ORDERED NOT PRINTED

(By unanimous consent)

On motion of Mr. Kinard, Senate Bill No. 392 was ordered not printed.

RECESS

On motion of Mr. Reed, the House, at 12:20 o'clock p. m., took recess until 3:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 3:00 o'clock p. m., and was called to order by the Speaker.

LEAVE OF ABSENCE GRANTED

(By unanimous consent.)

Mr. Baker of Grayson was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Kennedy.

MESSAGE FROM THE SENATE

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

Conference Committee Report on House Bill No. 683 by the following vote: Yeas, 31; Nays, 0.

H. C. R. No. 95, Authorizing the Enrolling Clerk of the House to make certain corrections to House Bill No. 657.

H. C. R. No. 102, Authorizing the Enrolling Clerk of the House to correct House Bill No. 909.

Respectfully,

BOB BARKER,

Secretary of the Senate.

PROVIDING FOR CERTAIN INVESTIGATION

Mr. Taylor offered the following resolution:

H. S. R. No. 233, Providing for Committee on Representation before the Legislature to make certain investigation.

Whereas, The Legislature of Texas has now convened in Regular Session for the purpose of raising sufficient revenue to finance the payment of old age pensions to the aged citizenship of Texas; and

Whereas, The attention of several Members of the House of Representatives has been called to the existence of certain letters mailed to the aged citizenship of this State; and

Whereas, These letters are supposedly sponsored by organizations interested in lobbying for bigger and better pensions; and

Whereas, These letters have for their purpose the solicitation of dollar contributions from all persons over the age of sixty-five; and

Whereas, In return for this contribution, many wild promises are held out to the unsuspecting aged citizenship of this State; and

Whereas, These circular letters contain reflections on the character and ability of the chosen Representatives of the people; and

Whereas, The opinion of the Legislature of this State that similar efforts of this nature have resulted in disappointment to the old people of this State and benefited political racketeers; therefore, be it

Resolved, That the House through its Committee on Representation before the Legislature be authorized to conduct an investigation to the true purpose and effect of this organized effort that is seeking contributions from the aged citizenship of our State; and, be it further

Resolved, That the House of Representatives authorize payment of actual expenses of such investigation provided that all expenses shall be approved by the Speaker of the House, the Chairman of the Committee on Contingent Expenses and the Chairman on the Committee making said investigation.

The resolution was read second time.

Mr. Alsup offered the following amendment to the resolution:

Amend House Simple Resolution No. 233, to read that the Committee shall have the power to subpoena any and all witnesses, to investigate, under oath or affirmation the nature, character and extent of any records pertaining to said inquiry, and that the expenses shall not exceed \$500.00.

The amendment was adopted.

The resolution, as amended, was then adopted.

HOUSE BILL NO. 257 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment;

H. B. No. 257, A bill to be entitled "An Act making an appropriation for the support and maintenance of the Judiciary of the State of Texas for the biennium beginning September 1, 1939, and ending August 31, 1941; requiring certain fees paid to clerks or officers of all Appellate Courts to be deposited monthly in the State Treasury; prescribing certain rules and restrictions respecting expenditures of appropriations made herein; suspending all laws in conflict herewith; declaring the invalidity of any

portion of this Act shall not affect any other portion, and declaring an emergency."

The bill was read second time.

Mr. Thornton offered committee amendment No. 1 to the bill.

(On motion of Mr. Thornton, the committee amendment was ordered not printed in the Journal, same being the printed bill.)

Mr. Reader of Erath offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 257, by striking out the figures "\$6,500.00" on page 1, line 34 of said bill, and inserting in lieu thereof, the figures "\$5,500.00".

On motion of Mr. Isaacks, the amendment was tabled.

Question recurring on committee amendment No. 1, it was adopted.

House Bill No. 257 was then passed to engrossment.

HOUSE BILL NO. 257 ON THIRD READING

Mr. Thornton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 257 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Allen	Clark
Allison	Cleveland
Alsup	Coleman
Bailey	Colquitt
Baker	Colson, Mrs.
of Fort Bend	Crossley
Bell	Daniel
Boethel	Davis of Upshur
Bond	Derden
Boyd	Dickison
Boyer	Dickson
Bradbury	Donaghey
Bradford	Dwyer
Bray	Faulkner
Bridgers	Felty
Broadfoot	Ferguson
Brown of Cherokee	Fuchs
Brown	Gilmer
of Nacogdoches	Goodman
Bundy	Gordon
Burkett	Hale
Burney	Hamilton
Cauthorn	Hankamer
Chambers	Hardeman

Hardin	Reader of Bexar
Harp	Reaves
Harris	Reed
Hartzog	Rhodes
Holland	Riviere
Howard	Roach
Howington	Roberts
Hull	Robinson
Hunt	Russell
Isaacks	Schuenemann
Johnson of Ellis	Segrist
Johnson of Tarrant	Shell
Kennedy	Skiles
Kern	Smith of Frio
Kerr	Smith of Hopkins
Kersey	Smith
Kinard	of Matagorda
King	Spencer
Lehman	Stoll
Leyendecker	Talbert
Little	Tarwater
Lock	Taylor
Loggins	Tennant
London	Thornberry
McAlister	Thornton
McDaniel	Turner
McDonald	Vint
McFarland	Voigt
McMurry	Waggoner
McNamara	Weldon
Mohrmann	Wells
Monkhouse	Westbrook
Montgomery	White
Oliver	Wilson
Pace	Winfree
Pevehouse	Worley
Piner	Wright
Ragsdale	

Nays—1

Reader of Erath

Absent

Anderson	Heflin
Blankenship	Langdon
Celaya	Leonard
Corry	Newell
Davis of Jasper	Nicholson
Dean	Pope
Fielden	Stinson
Galbreath	Vale

Absent—Excused

Baker of Grayson	Harrell of Lamar
Cockrell	Keith
Cornett	Mays
Dowell	Morris
Harper	Petsch
Harrell of Bastrop	Wood

The Speaker then laid House Bill No. 257 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—123

Allison	Johnson of Tarrant
Alsup	Kennedy
Bailey	Kern
Baker	Kerr
of Fort Bend	Kersey
Bell	Kinard
Boethel	King
Bond	Langdon
Boyd	Lehman
Boyer	Leonard
Bradbury	Leyendecker
Bradford	Little
Bray	Lock
Bridgers	Loggins
Broadfoot	London
Brown of Cherokee	McAlister
Brown	McDaniel
of Nacogdoches	McDonald
Bundy	McFarland
Burkett	McMurry
Cauthorn	McNamara
Chambers	Mohrmann
Clark	Monkhouse
Cleveland	Montgomery
Coleman	Nicholson
Colquitt	Oliver
Colson, Mrs.	Pace
Crossley	Pevehouse
Daniel	Piner
Davis of Upshur	Pope
Derden	Ragsdale
Dickison	Reader of Bexar
Dickson	Reaves
Donaghey	Reed
Dwyer	Rhodes
Faulkner	Riviere
Felty	Roach
Ferguson	Roberts
Fielden	Robinson
Fuchs	Russell
Galbreath	Schuenemann
Gilmer	Segrist
Goodman	Shell
Gordon	Skiles
Hale	Smith of Frio
Hamilton	Smith of Hopkins
Hankamer	Smith
Hardeman	of Matagorda
Hardin	Spencer
Harp	Stinson
Harris	Stoll
Hartzog	Talbert
Holland	Tarwater
Howard	Taylor
Howington	Tennant
Hull	Thornberry
Hunt	Thornton
Isaacks	Turner
Johnson of Ellis	Vint

Voigt
Waggoner
Wells
Westbrook

White
Wilson
Worley
Wright

Nays—4

Allen
Newell

Reader of Erath
Weldon

Absent

Anderson
Blankenship
Burney
Celaya
Corry

Davis of Jasper
Dean
Heflin
Vale
Winfree

Absent—Excused

Baker of Grayson	Harrell of Lamar
Cockrell	Keith
Cornett	Mays
Dowell	Morris
Harper	Petsch
Harrell of Bastrop	Wood

Mr. Thornton moved to reconsider the vote by which House Bill No. 257 was passed, and to table the motion to reconsider.

The motion to table prevailed.

BILL RE-REFERRED

Mr. Isaacks moved that House Bill No. 989 be withdrawn from the Committee on Judicial Districts, and referred to the Committee on Judiciary.

The motion prevailed.

TO SUSPEND CERTAIN JOINT RULES

Mr. Thornton offered the following resolution:

H. C. R. No. 104, To suspend certain Joint Rules.

Be it resolved, That the Joint Rules of the House and Senate be suspended, and said Rules are hereby suspended, so that the House can take up and consider on Calendar Wednesday and Thursday, April 19th and 20th, respectively, beginning at 2:00 p. m., each day, any and all of the following bills:

House Bill No. 255, biennium appropriation for the educational institutions of higher learning; House Bill No. 926, biennium appropriation for vocational education, and House Bill No. 933, biennium appropriation for rural aid.

The resolution was read second time, and was adopted by the following vote:

Yeas—122

Allison	Johnson of Tarrant
Alsup	Kennedy
Bailey	Kern
Baker	Kerr
of Fort Bend	Kersey
Bell	Kinard
Boethel	Langdon
Bond	Lehman
Boyd	Leyendecker
Boyer	Little
Bradbury	Lock
Bradford	Loggins
Bray	McAlister
Bridgers	McDaniel
Brown of Cherokee	McDonald
Brown	McFarland
of Nacogdoches	McMurry
Bundy	McNamara
Burkett	Mohrmann
Burney	Monkhouse
Cauthorn	Montgomery
Celaya	Newell
Chambers	Nicholson
Clark	Oliver
Cleveland	Pace
Coleman	Pevehouse
Colson, Mrs.	Piner
Cornett	Ragsdale
Crossley	Reader of Bexar
Daniel	Reader of Erath
Davis of Upshur	Reaves
Derden	Reed
Dickison	Rhodes
Dickson	Riviere
Donaghey	Roach
Faulkner	Roberts
Felty	Robinson
Ferguson	Russell
Fielden	Schuenemann
Fuchs	Segrist
Galbreath	Shell
Gilmer	Skiles
Gordon	Smith of Frio
Hale	Smith
Hamilton	of Matagorda
Hankamer	Spencer
Hardeman	Stinson
Hardin	Stoll
Harp	Talbert
Harris	Tarwater
Hartzog	Taylor
Heflin	Tennant
Holland	Thornberry
Howard	Thornton
Howington	Turner
Hull	Vint
Hunt	Voigt
Isaacks	Waggoner
Johnson of Ellis	Weldon

Wells	Winfree
Westbrook	Worley
White	Wright
Wilson	

Nays—1

Allen

Present—Not Voting

Vale

Absent

Anderson	Goodman
Blankenship	King
Broadfoot	Leonard
Corry	London
Davis of Jasper	Pope
Dean	Smith of Hopkins
Dwyer	

Absent—Excused

Baker of Grayson	Harrell of Lamar
Cockrell	Keith
Colquitt	Mays
Dowell	Morris
Harper	Petsch
Harrell of Bastrop	Wood

HOUSE JOINT RESOLUTION NO. 1 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. J. R. No. 1, Proposing to amend the Constitution of the State of Texas, by adding a new Section to be known as Section 30-b of Article 16 of the Constitution providing four-year terms of office for all precinct, county, district and State offices at elections to be held in 1940; amending Sections 1 and 2 of Article 4 of the Constitution of the State of Texas; providing method of financing alternate primaries; providing for elections by home rule and incorporated cities and towns to hold elections regarding four-year terms for city officials; providing for elections on two (2) questions of adoption or rejection of said amendments, and making an appropriation therefor.

The resolution was read third time, and was passed by the following vote:

Yeas—101

Allison	Boyd
Alsup	Boyer
Baker	Bradford
of Fort Bend	Broadfoot
Bell	Brown
Blankenship	of Nacogdoches
Boethel	Bundy

Burkett	Little
Burney	Loggins
Cauthorn	McAlister
Celaya	McDaniel
Clark	McFarland
Cleveland	McMurry
Coleman	McNamara
Colquitt	Mohrmann
Colson, Mrs.	Monkhouse
Corry	Montgomery
Crossley	Newell
Davis of Upshur	Nicholson
Dean	Oliver
Derden	Pace
Dickison	Pevehouse
Dickson	Ragsdale
Donaghey	Reader of Bexar
Dwyer	Reaves
Faulkner	Rhodes
Felty	Riviere
Ferguson	Roach
Fielden	Robinson
Galbreath	Russell
Gilmer	Schuenemann
Gordon	Segrist
Hamilton	Shell
Hankamer	Skiles
Harp	Smith of Frio
Harris	Smith
Hartzog	of Matagorda
Heflin	Stinson
Holland	Talbert
Howard	Taylor
Hull	Tennant
Johnson of Ellis	Thornberry
Johnson of Tarrant	Thornton
Kennedy	Turner
Kerr	Vale
Kersey	Vint
Kinard	Voigt
King	Westbrook
Langdon	Wilson
Lehman	Winfree
Leonard	Worley
Leyendecker	Wright

Nays—33

Allen	Kern
Bailey	Lock
Bond	London
Bradbury	McDonald
Bray	Piner
Bridgers	Pope
Brown of Cherokee	Reader of Erath
Chambers	Reed
Daniel	Roberts
Davis of Jasper	Smith of Hopkins
Fuchs	Spencer
Hale	Stoll
Hardeman	Waggoner
Hardin	Weldon
Howington	Wells
Hunt	White
Isaacks	

Absent

Anderson	Tarwater
Goodman	

Absent—Excused

Baker of Grayson	Harrell of Lamar
Cockrell	Keith
Cornett	Mays
Dowell	Morris
Harper	Petsch
Harrell of Bastrop	Wood

HOUSE BILL NO. 223 ON SECOND READING

The Speaker laid before the House, as special order, on its second reading and passage to engrossment,

H. B. No. 223, A bill to be entitled "An Act which provides for the prevention and control of disease; defining certain terms; giving the State Health Officer and the State Board of Health authority to promulgate orders, rules and regulations for the protection of the public health; repealing all of the old State Sanitary Code known as Chapter IV, Article 4477 of the Revised Civil Statutes of Texas of 1925, save and except Senate Bill No. 46, Acts of 1927, Fortieth Legislature, First Called Session, page 116, Chapter 41, as amended by Senate Bill No. 20, Acts of 1929, Forty-first Legislature, First Called Session, page 7, Chapter 4, which same is known as 'The Vital Statistics Law,' and rules 77, 78, 79, 80, 81, 82, 83, 85 and 86 known as that section on 'Transportation of Dead Bodies,' and shall remain in full force and effect; and repealing all laws, Articles, Sections, and subdivisions of laws which conflict or are inconsistent with this Act; prescribing a penalty, and declaring an emergency."

The bill was read second time.

Mr. Piner offered the following amendment to the bill:

Amend House Bill No. 223, page 7, Section 4, beginning with line 2, by striking out all down to and including line 29.

PINER,
READER of Bexar.

The amendment was adopted.

Mr. Piner offered the following amendment to the bill:

Amend House Bill No. 223, Section 8, page 10, by striking out all of Subsection (b).

The amendment was adopted.

Mr. Piner offered the following amendment to the bill:

Amend House Bill No. 223, Section 9, page 10, by striking out all after the word "disease" on line 37, down to and including all of line 40.

PINER,
READER of Bexar.

The amendment was adopted.

Mr. Smith of Matagorda offered the following amendment to the bill:

Amend House Bill No. 223, Article 2, Section 1, page 13, by striking out all of Subsection 3 (Laboratories).

SMITH of Matagorda,
READER of Bexar.

The amendment was adopted.

Mr. Reader of Bexar offered the following amendment to the bill:

Amend House Bill No. 223, page 19, Section 7, by striking out all of Subsection 3, beginning with line 6 down to and including line 12.

The amendment was adopted.

Mr. Reader of Bexar offered the following amendment to the bill:

Amend House Bill No. 223, page 26, Article 3, Section 2, by striking out all of Section 2 beginning on line 21 down to and including line 26.

The amendment was adopted.

Mr. Smith of Matagorda offered the following amendment to the bill:

Amend House Bill No. 223, page 59, by striking out all of Chapter 5 (Laboratories), Article 1, beginning with line 1, on page 59, down to and including line 12 on page 61.

SMITH of Matagorda,
READER of Bexar.

The amendment was adopted.

Mr. Bridgers offered the following amendment to the bill:

Amend House Bill No. 223 on page 11, by adding to line 28 of Section 3 of said bill, the following:

"Provided, however, that nothing in this Act shall repeal or be construed so as to abridge the provisions of House Bill No. 80, passed by the Forty-sixth Legislature, providing for a City-County Health Unit."

BRIDGERS,
READER of Bexar.

The amendment was adopted.

(Pending consideration of the bill, Mr. Leonard occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Colquitt raised a point of order, on further consideration of Section 2, page 8 of the bill, on the ground that the Section violates Section 19, Article 1 of the Constitution.

The Speaker overruled the point of order.

Mr. Galbreath moved that House Bill No. 223 be recommitted to the Committee on Revenue and Taxation.

On motion of Mr. Reader of Bexar, the motion to recommit was tabled.

Mr. Kinard offered the following amendment to the bill:

Amend House Bill No. 223, by adding after the period on line 40, Section 4, of Article 2, page 25, the following:

"Provided the provisions of this Act shall not apply to cities, towns, municipalities or industries on tidal waters of the Gulf of Mexico."

Mr. Riviere offered the following amendment to the amendment by Mr. Kinard:

Amend the Kinard amendment, by striking out "of this Act," and insert in lieu thereof, "Section 4, Article 2."

The amendment by Mr. Riviere was adopted.

The amendment, as amended, was then adopted.

Mr. Piner offered the following amendment to the bill:

Amend House Bill No. 223, by striking out, on page 24, all of Subsection (1) of Section 1.

Mr. Alsup moved that House Bill No. 223 be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—64

Allen	Daniel
Allison	Davis of Jasper
Alsup	Davis of Upshur
Bailey	Dickson
Boethel	Donaghey
Boyer	Faulkner
Bradford	Fielden
Brown of Cherokee	Fuchs
Bundy	Galbreath
Burkett	Hale
Celaya	Hankamer
Chambers	Heflin
Colquitt	Howington
Crossley	Hunt

Johnson of Tarrant	Pace
Kennedy	Pevehouse
Kern	Ragsdale
Kerr	Rhodes
Kinard	Roberts
King	Robinson
Langdon	Russell
Lehman	Smith of Hopkins
Leyendecker	Tarwater
Little	Taylor
McAlister	Tennant
McDaniel	Thornton
McDonald	Vint
McMurry	Voigt
McNamara	Waggoner
Mohrmann	Weldon
Monkhouse	Wilson
Oliver	Wright

Nays—51

Baker	Isaacks
of Fort Bend	Johnson of Ellis
Bell	Kersey
Blankenship	Lock
Boyd	Loggins
Bradbury	London
Bray	McFarland
Broadfoot	Newell
Brown	Nicholson
of Nacogdoches	Piner
Burney	Reader of Bexar
Clark	Reader of Erath
Cleveland	Reed
Coleman	Riviere
Colson, Mrs.	Roach
Derden	Skiles
Dickison	Smith of Frio
Dwyer	Smith
Ferguson	of Matagorda
Gilmer	Spencer
Gordon	Stinson
Hamilton	Stoll
Hardin	Thornberry
Harp	Turner
Harris	Vale
Hartzog	Westbrook
Howard	Winfree

Present—Not Voting

Reaves

Absent

Anderson	Leonard
Bond	Montgomery
Bridgers	Pope
Cauthorn	Schuenemann
Corry	Segrist
Dean	Shell
Felty	Talbert
Goodman	Wells
Hardeman	White
Holland	Worley
Hull	

Absent—Excused

Baker of Grayson	Harrell of Lamar
Cockrell	Keith
Cornett	Mays
Dowell	Morris
Harper	Petsch
Harrell of Bastrop	Wood

BILLS RECOMMITTED

Mr. Boyer moved that House Bill No. 986 be recommitted to the Committee on Criminal Jurisprudence.

Mr. Davis of Upshur moved to table the motion to recommit.

The motion to table was lost.

Question then recurring on the motion to recommit House Bill No. 986 to the Committee on Criminal Jurisprudence, it prevailed.

Mr. Pope moved that Senate Bill No. 413 be recommitted to the Committee on Game and Fisheries.

The motion prevailed.

BILLS ORDERED NOT PRINTED

(By unanimous consent)

On motion of Mr. Johnson of Tarrant, Senate Bill No. 268 was ordered not printed.

On motion of Mr. Boethel, Senate Bill No. 381 was ordered not printed.

BILLS AND RESOLUTIONS
SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

S. C. R. No. 37, Authorizing certain correction in Senate Bill No. 410.

S. B. No. 275, "An Act to reorganize the 87th Judicial District of Texas, to be constituted of Limestone, Freestone, Anderson and Leon Counties, Texas, and to provide for the terms thereof; to provide that the Judge of the 87th Judicial District shall continue to serve in said District and the period thereof; and to provide that the District Attorney of the 12th Judicial District, now elected and acting, shall represent the State in all criminal and civil cases in which the State is interested hereafter tried in the 87th Judicial District in Leon County, Texas, and to provide that the District Clerk in the respective counties composing the 87th Judicial District herein reorganized, shall serve

as the District Clerks of the 87th Judicial District, and declaring an emergency."

S. B. No. 410, "An Act amending Subdivision 23 of Article 199, Title 8, Revised Civil Statutes of Texas, and providing for changing and prescribing terms and times of holding Court in the Twenty-third Judicial District of Texas, etc."

S. B. No. 412, "An Act providing for rural school supervisor in counties having a population of not less than 2,750, nor more than 3,000 in lieu of Teachers' Institutes, etc., and declaring an emergency."

S. B. No. 430, "An Act making an appropriation of the sum of One Hundred and Fifty Thousand (\$150,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses and to pay the per diem of Members, and declaring an emergency."

H. B. No. 517, "An Act amending Senate Bill No. 514, Chapter 101, page 140 of the Special Laws of the Regular Session of the Forty-third Legislature, 1933, eliminating certain counties from the provisions of said Act, and declaring an emergency."

H. C. R. No. 102, Authorizing certain correction in House Bill No. 909.

H. C. R. No. 95, Authorizing certain correction in House Bill No. 657.

MESSAGE FROM THE SENATE

Austin, Texas, April 18, 1939.
Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 435, A bill to be entitled "An Act authorizing the Commissioners' Court in certain counties, allowing each Commissioner certain expenses, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 435, to the Committee on School Districts.

BILL RE-REFERRED

Mr. Loggins moved that Senate Bill No. 435 be withdrawn from the Committee on Counties, and referred to the Committee on School Districts.

The motion prevailed.

HOUSE BILLS ON FIRST READING

Mr. Davis of Upshur asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 991.

There was no objection.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Davis of Upshur:

H. B. No. 991, A bill to be entitled "An Act making it unlawful to shoot, take, trap, snare or otherwise kill any wild quail in Camp County, Texas, other than on Friday of each week during the open season and on legal holidays, during such period, affixing penalty for violation thereof; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

Mr. Russell asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 992.

There was no objection.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Russell:

H. B. No. 992, A bill to be entitled "An Act authorizing the Commissioner's Court by vote of the majority of the Commissioner's Court in any county having a population of not less than thirty-three thousand, three hundred (33,300) and not more than thirty-three thousand, three hundred fifty (33,350), according to the last preceding Federal Census or any future Federal Census to pass an order to allow each County Commissioner certain expenses for traveling in connection with the use of his automobile on official business; requiring each such Commissioner to pay the expenses of operation and repair of each automobile used by him without fur-

ther expense to the county, and declaring an emergency."

Referred to the Committee on Counties.

ADJOURNMENT

On motion of Mr. Monkhouse, the House, at 4:45 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Counties: House Bills Nos. 958 and 969; Senate Bill No. 214.

State Affairs: Senate Bills Nos. 5, 6 and 416; House Concurrent Resolutions Nos. 89 and 90; Senate Concurrent Resolution No. 13.

Game and Fisheries: House Bill No. 946; Senate Bill No. 381.

Privileges, Suffrage and Elections: House Bill No. 970; Senate Bills Nos. 177 and 425.

Banks and Banking: Senate Bills Nos. 13 and 268.

Judiciary: House Bills Nos. 966, 988 and 989; Senate Bills Nos. 57, 181, 236, 302 and 400.

Public Lands and Buildings: Senate Bill No. 420.

Criminal Jurisprudence: House Bills Nos. 164, 184, 673, 788, 816 and 986; Senate Bills Nos. 131 and 137.

Municipal and Private Corporations: House Bill No. 960; Senate Bill No. 392.

Constitutional Amendments: House Joint Resolutions Nos. 28 and 35.

The following committees have filed adverse reports on bills and resolutions, as follows:

State Affairs: House Bill No. 254.

Criminal Jurisprudence: House Bills Nos. 498 and 895.

Constitutional Amendments: House Joint Resolutions Nos. 6, 17 and 26.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, April 17, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 180, A bill to be entitled "An Act to amend Chapter 23 of the Acts of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, same being an Act entitled: 'An Act to aid the City of Rockport in constructing seawalls, breakwaters, revetments and shore protections by donating to the city the ad valorem taxes to be collected by the State of Texas on all property and from all persons owning property situated in Aransas County, Texas, for a period of twenty (20) years, and to authorize said city to issue bonds for the purposes mentioned, and to provide a penalty for the misapplication of funds raised therefrom, and to declare an emergency.' By extending the provision of said Act for a period of forty (40) years from September 1st, 1920, and to aid the City of Rockport to pay interest and sinking funds upon outstanding bonds heretofore issued, the proceeds of which have been used exclusively in constructing and maintaining seawalls, breakwaters and shore protection to protect the City of Rockport and to issue bonds for the purpose of constructing seawalls, breakwaters, revetments and shore protection to protect said City of Rockport."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 17, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 102, Authorizing the Enrolling Clerk of the House to make certain corrections in House Bill No. 909.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 17, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 178, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before July 1, 1938, due to the State, any county, common school district, road district, levee improvement district, water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State provided same are paid on or before June 1, 1939; and providing further that this Act releasing penalties and interest shall not apply to cities, towns and villages and special school districts and independent school districts unless and until the governing body thereof finds that unusual or excessive default in the payment of ad valorem and poll taxes has occurred, and that an extension of time for the payment of said ad valorem and poll taxes will accelerate the payment thereof; and such governing body has adopted a resolution or ordinance evidencing such finding, and upon the recording of such finding of fact shall have the authority to put in force and effect the provisions hereof as to any such city, town or village or special school district or independent school district, providing for the release of costs under certain circumstances; providing that anyone desiring to pay at one time all delinquent taxes for any one year on the same property may so pay without paying other delinquent taxes on the same; providing that all laws in conflict with this Act are expressly suspended during the term of this Act; providing that if any section, clause, sentence, paragraph or part of the Act be judged to be invalid by any court of final or competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Act; stating the policy of the Legislature, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 104, Suspending the Joint Rules of the House and Senate so that the House can take up and consider House Bills Nos. 255, 926 and 933 on Wednesday and Thursday, April 19th and 20th, respectively.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 634, "An Act providing for a Rural School Music Supervisor in certain counties; prescribing the duties of said Supervisor; prescribing the method of employing the Supervisor; providing for removal of such Supervisor by the County Board of School Trustees on recommendation of the County Superintendent; prescribing manner of fixing and paying salary, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 853, "An Act providing for salary to be paid the County Superintendent of Schools in certain counties, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 813, "An Act making it unlawful to hunt, shoot, or kill any

deer or wild turkey for a period of five (5) years in Somervell, Bosque, Coryell, Hamilton, Erath, Hood and Johnson Counties, Texas; fixing a penalty; repealing all laws or parts of laws in conflict herewith in so far as they apply to such counties, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 102, Authorizing the Enrolling Clerk of the House to make certain corrections in House Bill No. 909.

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 100, Authorizing the Enrolling Clerk of the House to amend the caption of House Bill No. 517 to conform to the body of the bill.

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 101, Commending the President of the United States for his efforts to maintain World Peace.

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 96, Instructing the Speaker of the House and the Chief Clerk of the House to erase their

names from House Bill No. 426 and return said bill to the Senate.

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 95, Authorizing the Enrolling Clerk of the House to make certain corrections in House Bill No. 657.

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

SENT TO THE GOVERNOR

April 18, 1939

House Bill No. 853.

House Bill No. 634.

House Bill No. 813.

House Concurrent Resolution No. 96.

House Concurrent Resolution No. 100.

House Concurrent Resolution No. 101.

FIFTY-EIGHTH DAY

(Wednesday, April 19, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Brown of Cherokee
Allen	Brown
Allison	of Nacogdoches
Alsup	Bundy
Bailey	Burkett
Baker	Burney
of Fort Bend	Cauthorn
Baker of Grayson	Celaya
Blankenship	Chambers
Bell	Clark
Boethel	Cleveland
Bond	Cockrell
Boyd	Coleman
Boyer	Colquitt
Bradbury	Colson, Mrs.
Bradford	Cornett
Bray	Corry
Bridgers	Crossley
Broadfoot	Daniel